
A BILL FOR AN ACT

RELATING TO THE NATURAL AREA RESERVES SYSTEM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 195-9, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§195-9 Natural area reserve fund; heritage program;
4 **established.** (a) There is hereby established in the state
5 treasury a special fund known as the natural area reserve fund,
6 which shall be used to implement the purposes of this chapter,
7 including [~~the~~]:

8 (1) The identification, establishment, and management of
9 natural area reserves [~~the~~];

10 (2) The acquisition of private lands for new natural area
11 reserves [~~the~~];

12 (3) The operation of the heritage program [~~the~~] and [~~the~~];

13 (4) The provision of matching funds for the natural area
14 partnership program [~~the~~] and forest stewardship
15 programs;

16 (5) Projects undertaken in accordance with watershed
17 management plans pursuant to section 171-58 or



1 watershed management plans negotiated with private
2 landowners; and

3 (6) The youth conservation corps established under chapter
4 193.

5 The fund shall be administered by the department.

6 (b) The fund shall consist of moneys received from any
7 public or private sources[-] and any moneys paid into the fund
8 pursuant to section 247-7. The fund shall be held separate and
9 apart from all other moneys, funds, and accounts in the state
10 treasury, except that any moneys received from the federal
11 government or from private contributions shall be deposited and
12 accounted for in accordance with conditions established by the
13 agencies or persons from whom the moneys are received.
14 Investment earnings credited to the assets of the fund shall
15 become a part of the assets of the fund. Any balance remaining
16 in the fund at the end of any fiscal year shall be carried
17 forward in the fund for the next fiscal year."

18 SECTION 2. Section 247-7, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "**§247-7 Disposition of taxes.** All taxes collected under
21 this chapter shall be paid into the state treasury to the credit
22 of the general fund of the State, to be used and expended for



1 the purposes for which the general fund was created and exists
2 by law; provided that of the taxes collected each fiscal year:

3 (1) Ten per cent shall be paid into the land conservation
4 fund established pursuant to section 173A-5;

5 (2) Thirty per cent shall be paid into the rental housing
6 trust fund established by section 201H-202; and

7 (3) Twenty-five per cent shall be paid into the natural
8 area reserve fund established by section 195-9;

9 provided that the funds paid into the natural area
10 reserve fund shall be annually disbursed by the
11 department of land and natural resources [~~in the~~
12 ~~following priority:~~

13 ~~(A) To natural area partnership and forest~~
14 ~~stewardship programs after joint consultation~~
15 ~~with the forest stewardship committee and the~~
16 ~~natural area reserves system commission;~~

17 ~~(B) Projects undertaken in accordance with watershed~~
18 ~~management plans pursuant to section 171-58 or~~
19 ~~watershed management plans negotiated with~~
20 ~~private landowners, and management of the natural~~
21 ~~area reserves system pursuant to section 195-3;~~

22 and



1 ~~(C) The youth conservation corps established under~~
2 ~~chapter 193.]~~ after consultation with the natural
3 area reserves system commission."

4 SECTION 3. Section 195F-4, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) There is established a special fund within the state
7 treasury known as the forest stewardship fund which shall be
8 used as follows:

9 (1) Payments shall be made by the board pursuant to
10 agreements entered into with qualified landowners to
11 further the purposes of this chapter;

12 (2) Moneys collected from:

13 (A) The harvest of non-native forest products from
14 forest reserves;

15 (B) The harvest of native forest products from
16 degraded forests as defined in section 186-5.5,
17 within forest reserves;

18 (C) The sale of forest products found dead and lying
19 on the ground;

20 (D) The sale of tree seedlings from state nurseries;



1 (E) The sale of any other products or services, or
2 anything of value derived from forest reserves
3 not described above; or
4 (F) The imposition of fines or penalties for
5 violations of this chapter and chapters 183 and
6 185 or any rule adopted thereunder;
7 shall be used for: (i) replanting, managing, and
8 maintaining designated timber management areas; (ii)
9 enhancing the management of public forest reserves
10 with an emphasis on restoring degraded koa forests;
11 and (iii) developing environmental education and
12 training programs pertaining to sustainable forestry;
13 provided that the activities described in clauses (ii)
14 and (iii) may not be funded unless the activities
15 described in approved management plans pertaining to
16 clause (i) are adequately funded; and
17 (3) Moneys deposited into the fund as authorized by
18 section [~~247-7~~] 195-9 may also be used by the
19 department to administer the program and manage the
20 forest reserve system."

21 SECTION 3. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Mele Carroll

A large, stylized handwritten signature in black ink, appearing to be a variation of the name 'Mele Carroll'.

JAN 28 2009

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Report Title:

Natural Area Reserves System; Forest Stewardship Programs

Description:

Clarifies the uses of the natural area reserve fund and the forest stewardship fund.

